

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Dennis Fernandez	Docket No.:	FERN-P006
Serial No.:	09/435,504	Group Art Unit:	3623
Filed:	11/6/1999	Examiner:	Rines, Robert D.
Title:	Bioinformatic Transaction Scheme		

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicant wishes to bring the enclosed printed publications and/or patent references to the attention of the Examiner.

Under 37 CFR 1.97(c) applicant submits this information disclosure statement accompanied by the statement specified in 1.97(e). Hence, no fee is due for this filing.

Pursuant to the statement requirement under 1.97(e), "no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement."

In compliance with 37 CFR 1.98 and especially 37 CFR 1.98(2)(i)-(ii) and 37 CFR 1.98(3)(i)-(ii) applicant notes that:

1. Applicant's counsel informed applicant that first Office action for Japan application 336405/2000 has been issued by the Japan Patent Office on 11/16/2010, and informed applicant of references cited in said office action. Applicant's counsel forwarded English translations of office action and references to Applicant.
2. Applicant submits at the end of this statement office action in English translation as provided by Applicant's counsel.
3. Per 37 CFR 1.98(3)(i) Applicant submits references cited in Japanese application to this application 09/435,504, as the two cases are related. Application 09/435,504 is the corresponding US application of Japanese application 336405/2000.

4. Per 37 CFR 1.98(3)(ii) Applicant submits available translations. Applicant especially notes he is in possession, custody, control of, or has available only *machine* translations of H11-259393, H10-272123, and submits WO 01/31551 which corresponds to Japanese patent application 2001-534059. Further Applicant notes that he is only in possession of English abstract for applications JP10049589A and JP8287159A. Finally, Applicant is not in possession, custody, control of, or has any available translations of Yoshihide HAYASHIZAKI, "Actual State of Gene Diagnosis and Future Prospects", *Pharma Medica* Vol. 13, No. 5, Japan, Medical Review Co. Ltd. May 10, 1995, pages 51-56, and *Monthly, Computer Digest*, Vol. 25, No. 4, Japan, T.A.C. Planning Co. Ltd., April 10, 1999, page 35.

Applicant respectfully submits that Applicant's claimed invention is patentable over such references. Forms PTO/SB/08A and/or PTO/SB/08B listing these references are attached. It is understood that the Office may find additionally relevant material in these or other references.

Respectfully submitted,

/Dennis S. Fernandez/

12/17/2010

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Date

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